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22764 U.S. PTO

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Docket No.	S1404.70004US01
	First Named Inventor or Application Identifier	
	David Spencer	
	Express Mail Label No.	EV292545231US
	Date of Deposit	January 27, 2003

17497 U.S. PTO  
10/766298

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<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents</i>	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
<p>1. <input type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total pages 53] 48 - pages description 1 - pages abstract 4 - pages claims 25 - Total claims</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total sheets 13] <input checked="" type="checkbox"/> Informal <input type="checkbox"/> Formal [Total drawings Figs. 1-13]</p> <p>5. <input type="checkbox"/> Oath or Declaration [Total pages ] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>If 5b is checked the entire disclosure of prior applications, Serial No. _____ from which an oath or declaration is supplied, is considered as part of the disclosure of the accompanying application as is hereby incorporated by reference therein. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet, See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies</p> <p><b>ACCOMPANYING APPLICATION PARTS</b></p> <p>9. <input type="checkbox"/> Assignment Papers/cover sheet &amp; documents(s)</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney</p> <p>11. <input type="checkbox"/> English Translation of Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(ii)</p> <p>17. <input type="checkbox"/> Other: _____ _____ _____</p>

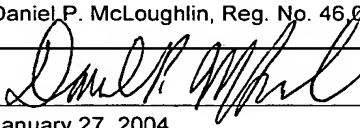
**18. NOTE TO PRACTITIONERS:** If a CONTINUING APPLICATION, supply the requisite priority or continuity information in (1) the body of the application, or in a preliminary amendment, and (2) in an Application Data Sheet under 37 CFR 1.76.

**19. CORRESPONDENCE ADDRESS**

*Correspondence address below*

**CUSTOMER NUMBER:**  
**23628**


**20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME	Daniel P. McLoughlin, Reg. No. 46,066
SIGNATURE	
DATE	January 27, 2004

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(ii)</b>	<i>First Named Inventor</i>		<b>S1404.70004US01</b>
	<i>Title</i>	<b>SORTING PIECES OF MATERIAL BASED ON PHOTONIC EMISSIONS RESULTING FROM MULTIPLE SOURCES OF STIMULI</b>	
	<i>Docket No.</i>		<b>S1404.70004US01</b>

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/27/04  
Date

  
Daniel P. McLoughlin, Reg No. 46,066

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).